SALE OF DRUG SHOPS FOR 1908-09.

Notice No. 8302, *dated 4th April* 1908.

Notice is hereby given that the exclusive privilege of selling intoxicating drugs in the several shops appointed for the purpose during the twelve months beginning 1st July 1908 and ending 30th June 1909, will be put up to public auction by Deputy Commissioners or Revenue Assistant Commissioners or District Officers of the Excise Department or other officers specially authorised by the Deputy Commissioners for the purpose, on the dates and at the taluk or sub taluk head-quarters mentioned in the statement annexed, subject to the conditions hereinafter set forth. If the sales are not completed on the dates fixed, they will be continued on the next following days, close holidays excepted.

2. A deposit must be made by each bidder previous to bidding and will be received at any time within three days previous to the date of sale. A deposit of Rs. 50 will ordinarily be required from any person wishing to bid for any important shop or any large number of shops. This will be reduced to Rs. 20 in the case of bidders for not more than two or three shops of an aggregate monthly value of Rs. 50 or less and to Rs 5 in the case of bidders for single small shops. In the case of shops whose average monthly rental is very small the selling officer may fix such other reasonable amount as he may deem fit.

3. The shops will be put up to auction in the order in which they are notified in the schedule, unless the selling officer sees reason to change that order. Upset prizes will be fixed at the discretion of the selling officer. The reserve prize placed by Government on the shops will not be published, but the rentals and the consumption of the previous three years will be notified for the information of bidders.

4. Every shop should, as a rule, be sold independently. Grouping should be resorted to only under very exceptional circumstances limiting the number of shops so grouped strictly to the necessity of the occasion.

5. No person will be allowed to bid for another unless he holds a Power-of-Attorney from the latter.

6. No shops will be knocked down in the name of two or more persons unless they represent a duly recognised Company or firm by means of a Power-of-Attorney. The selling officer shall refuse to register as a purchaser any one in whose name the bidding has not proceeded.

7. The officer conducting the sale may, at his discretion refuse to accept the bid or any person on the ground that it is too low or that he has been convicted by a Criminal Court or has previously been guilty of such a breach of the conditions of a license or of a contract under the Excise Regulation or Opium Act, as to render him undesirable as a holder of a license or on the ground that he is insolvent or to prevent arrangements to the detriment of Government interests or for any other valid reason.

8. The shops will be knocked down to the highest bidder, but the sale will be subject to formal confirmation by the Deputy Commissioner, who shall be at liberty to accept or reject any bid at his discretion. Such formal confirmation will be tantamount to an acceptance of the bid unless revised by the Government for special reasons and will be necessary whether the sale be held by the Deputy Commissioner himself or by any officer appointed by him.

9. In cases of dispute at the time of auction the selling officer's decision shall be final; and if for any reason the highest bid is rejected the next highest shall be taken or the shop re-sold at his discretion.

10. Tenders after auction shall not generally be accepted. Shops remaining unsold at the first auction shall ordinarily be disposed of by reauction later on. But the Deputy Commissioner has full discretion on this point.

11. As soon as possible after the auction is completed, the deposits made by the unsuccessful bidders will be returned to them. As the auction proceeds, each person whose bid is accepted shall at once if so required by the selling officer, or otherwise at the close of the day's sale, make a further deposit of half a month's rent (in addition to the deposit made under condition 2) for each shop unless the initial deposit equals or exceeds two months' rent. Should he fail to do so, the deposit made by him under condition 2 will be forfeited and the shops will be put up again to auction on the above conditions or otherwise disposed of as the selling officer may determine and the defaulter will be debarred from bidding again for the same or for any other shop.

12. Persons to whom shops have been knocked down and who have made deposits as provided in conditions 2 and 11 shall leave their address with the selling officer, in order that the confirmation of the sale may be communicated to that address by a notice and they shall also * deposit such further sum as with the former deposits will make up two months' rent. Such deposit should be paid into the Taluk Treasury within seven days from the date of communication of the notice of the Deputy Commissioner's acceptance of the bid by its presentation to themselves or to any adult male member of their family at the place of the said address, or by its despatch duly registered by post. They shall then *without unnecessary delay* execute the necessary engagements and take out licenses on the conditions hereinafter set forth. In the

* Deposits may be in cash or other approved security.

case of the purchaser's death after signing the agreement, it will be binding on his heirs and assigns. Should the initial deposit exceed the sum required to be deposited under this condition, the excess will be refunded unless the purchaser is required to make a deposit (twice that sum) under condition 13 *infra*.

13. If on enquiry subsequent to sale the purchaser shall be found to be of doubtful solvency or a foreigner having no sufficient property in the Mysore State he may be required either to deposit twice the sum prescribed in condition 12 *supra* or to get a surety or sureties, residents of and possessing sufficient property in the Mysore State to execute a security bond for the due payment of all moneys that may become due by him under the terms of the contract. The bond shall be stamped (Article 32 of Schedule I of the Mysore Stamp Regulation, II of 1900) and also registered at the expense of the purchaser if the amount secured exceeds Rs. 1,000.

14. As soon as the sales are over, the sale conducting officer shall forward a list of the successful bidders to the Amildar of the taluk concerned who shall enquire into the solvency of and record the amount of deposit or surety required from each purchaser. He should submit the list so prepared to the selling officer within five days of its receipt and the latter should submit the same with his remarks to the Deputy Commissioner for confirmation without delay.

15. On the failure or any person to make deposit under condition 12 or to comply with the requisition under condition 13 *supra* or to execute engagements and take out licenses as aforesaid, the deposits already made shall be forfeited and the shop be re-sold or otherwise disposed of at the discretion of the Deputy Commissioner.

16. Re-sales effected under condition 15 will be at the risk of the defaulting bidder, who will forfeit all gain, and, in the event of loss, will be required to make good the deficiency between the total amount payable for the whole period under the terms of the original sale and the total amount payable by the successful bidder at the re-sale. In the latter case the forfeited deposits will be deducted from the loss arising from the re-sale, and the remainder, if any, will be recoverable from the defaulter in the same manner as if it were an arrear of land revenue. Should, however, the forfeited deposits be greater than the loss by re-sale, the whole of such deposits will be credited to Government. The defaulting bidder will be similarly liable if the privilege is disposed of otherwise than by re-sale and such disposal results in loss to Government as compared with the original sale.

17. The purchaser of the privilege is liable to the penalties prescribed for breaches of the conditions set forth below though a formal license may not have been issued to him.

18. The deposit referred to in condition 12, or condition 13, as the case may be, will be taken as security for the due performance of the conditions of the license. If the Deputy Commissioner and the licensee so agree, it may be credited towards the last instalment of the khists payable by the latter.

19. The license to be taken out under condition 12 above, shall be subject to the following conditions:—

(1) The amount for which the privilege has been purchased shall be payable into the Taluk Treasury on the prescribed challan in equal monthly instalments commencing from July 1908; each instalment shall be regarded as the rent for the month in respect of which it is payable. Each month's rent shall be payable on or before the 20th of the same month on the challan prescribed for the purpose. Failing payment by the 20th of the same month for which the instalment is due, the Amildar shall, with the sanction of the Deputy Commissioner by record in writing, suspend or cancel the license or order the forfeiture of all deposits made by the defaulter and proceed to re-sell or otherwise dispose of the shop at the defaulter's risk on the first day of the month succeeding with effect from date of issue of license to the new purchaser or from the date of other disposal. No remission or abatement of the rent shall, on any account whatever, be claimable by the licensee.

(2) The price of Ganja and Majum shall be Re. 1-0-0 and Re. 0-6-6, respectively, per seer of 80 tolas; and these prices shall be in addition to Excise duty, at the rate of Rs. 5-0-0 per seer of Ganja and Re. 1-1-0 per seer of Majum (including local cess).

(3) The licensee shall pay the above duty and price into a Taluk Treasury, and shall obtain a receipt in the prescribed printed form. On production of such receipt, the Taluk Treasury shall issue the quantity of Ganja or Majum equal to the amount of duty and price shown in the said receipt. The Taluk Treasury aforesaid shall issue a pass in the prescribed form for the transport of Ganja or Majum from the Taluk Treasury.

(4) The Ganja sold by the licensee shall be of good quality and unadulterated, and it shall be sold by him at Rs. 10 for a seer of 80 tolas of Ganja or annas 2 per tola of Ganja and at Rs. 1-10-8 for a seer of Majum; and the whole stock of Ganja and Majum on hand shall be kept in the licensed shop and not elsewhere on any pretext whatever, without special permission.

(5) The licensee shall use such scales and weights as may from time to time be prescribed by Government, and provide himself with the printed forms of accounts and permits or passes for transport of drugs, which forms shall be purchased from local Excise officers.

(6) The licensee shall be bound to take over any drugs which may remain as stock in hand belonging to the out-going licensee on the 1st July 1908 in the existing shop, paying to the latter such compensation for the same as may be fixed by the Deputy Commissioner.

(7) The licensee shall be bound by the rules in force, and by such further rules as may be issued from time to time by Government. He will not be allowed to possess or continue to possess without the written permission of the Excise Commissioner, any interest direct or indirect in any intoxicating drug shop outside the Mysore State or in the Civil and Military Station.

(8) No female shall be employed in the sale of intoxicating drugs.

(9) The remaining terms and conditions shall be as set forth in the prescribed license.

7. In the case of any breach of the above conditions either by the licensee or, with his connivance and privity, by any person in his employment, or in the event of the licensee neglecting to open his shop or to carry on his business with due care and attention, it shall be competent to the Deputy Commissioner to impose upon the licensee a fine not exceeding Rs. 10 for every such breach or neglect, or at the option of the Deputy Commissioner to declare the money deposited with him forfeited, and to cancel the license and to re-sell or to otherwise dispose of the privilege at the risk of the licensee; and all loss thereby caused, together with the loss accruing to Government in consequence of the licensee not carrying on his business by opening his shop on 1st July 1908, shall be made good by him. When a license is cancelled, the rent for the whole period of the license shall become due at once, which shall be recovered together with all losses as if they were arrears of land revenue.

8. The penalties laid down in the last preceding clause shall not exempt the licensee or his employees from prosecution for any offence committed against the Excise Laws or rules in force.

DATES OF SALE.

District	Taluk	Date
Bangalore		May 1908
	Bangalore ...	18
		April 1908
	Devanhalli ...	28
	Dodballapur ...	30
		May 1908
	Nelamangala ...	2
	Magadi ...	4
	Channapatna ...	7
	Kankanhalli ...	9
	Anekal ...	12
	Hoskote ...	15
Kolar		April 1908
	Chikballapur ...	27
	Sidlaghatta ...	29
		May 1908
	Chintamani ...	1
	Srinivaspur ...	4
	Mulbagal ...	7
	Kolar ...	9
	Kolar Gold Fields and Bowringpet. *	11
	Malur ...	14
	Goribidnur ...	16
	Bagepalli ...	19
Tumkur		May 1908
	Kunigal ...	11
	Tumkur ...	14
	Gubbi ...	9
	Tiptur ...	7
	Chiknayakanhalli ...	4
		April 1908
	Sira ...	30
	Maddagiri ...	28
	Pavagada ...	25
Mysore		April 1908
	Mysore ...	25
	Seringapatam ...	27
	Malvalli ...	30
		May 1908
	Mandya ...	2
	Nagamangala ...	4
	Krishnarajpete ...	7
	Yedatore ...	9
	Hunsur ...	12
Mysore—*concld.*		May 1908
	Heggaddevankote ...	14
	Gundlupet ...	16
	Chamrajnagar ...	18
	Yelandur ...	20
	T.-Narsipur ...	22
	Nanjangud ...	25
Hassan		April 1908
	Manjarabad ...	25
	Belur ...	28
	Hassan ...	30
		May 1908
	Arkalgud ...	2
	Hole-Narsipur ...	4
	Channarayapatna ...	8
	Arsikere ...	12
Kadur		April 1908
	Mudgere ...	27
	Chikmagalur ...	29
		May 1908
	Kadur ...	1
	Tarikere ...	4
	Yedahalli † ...	7
	Koppa ...	9
Shimoga		April 1908
	Shimoga ...	25
	Tirthahalli ...	28
		May 1908
	Nagar ...	1
	Sagar ...	4
	Sorab ...	7
	Shikarpur ...	9
	Honnali ...	12
	Channagiri ...	15
Chitaldrug		April 1908
	Hosdurga ...	25
	Holalkere ...	27
	Davangere ...	29
		May 1908
	Jagalur ...	2
	Molakalmuru ...	5
	Challakere ...	8
	Hiriyur ...	11
	Chitaldrug ...	14

* Gold Fields Magistrate's Court.

† Deputy Amildar's office.

H. H. SPARKES,
Excise Commissioner in Mysore.